



MINUTES

Council Assessment Panel Meeting

(Subject to confirmation)

17 April 2019

**MINUTES OF YORKE PENINSULA COUNCIL
COUNCIL ASSESSMENT PANEL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 17 APRIL 2019 AT 9.30AM**

1 WELCOME BY PRESIDING MEMBER

Presiding Member Rodney Button welcomed everyone to the meeting and declared the meeting open at 9.36am.

2 PRESENT

Presiding Member Rodney Button, Mr Jeffrey Cook, Independent Member Debra Agnew, Independent Member Susan Hadley, Independent Member Elinor Walker

In Attendance

Roger Brooks (Assessment Manager), Dustin Guthberg (Acting Manager Development Services), Georgina Halman (Planning Officer), Maddy Pulling (Minute Secretary)

3 GALLERY

Nil

4 APOLOGIES

Nil

5 LEAVE OF ABSENCE

Nil

6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

COMMITTEE RESOLUTION

Moved: Mr Jeffrey Cook

Seconded: Independent Member Debra Agnew

That the minutes of the Council Assessment Panel Meeting held on 26 February 2019 be confirmed.

CARRIED 006/2019 (17/04/2019)

7 CONFLICT OF INTEREST

Presiding Member Rodney Button reminded all Panel Members of the requirement to disclose any conflict of interest in relation to any matters before the Council Assessment Panel.

8 VISITORS TO THE MEETING

Nil

REPORTS

9 DEVELOPMENT APPLICATIONS

9.1 EDDIE DOMIN 544/1103/2018**PROPOSAL OUTLINE**

Author:	Georgina Halman
Application No.:	544/1103/2018
Applicant:	Eddie Domin
Owner:	Barbara Margarete Domin
Development Proposal:	Farm Building (Implement Shed)
Lodgement Date:	11 April 2018
Subject Land:	(Lot 834) 845 Corny Point Road, The Pines
Zone:	Coastal Conservation
Nature of Development:	Non-Complying
Public Notification:	Category 3
Representations:	1
Referrals:	Nil
Development Plan Version:	31 October 2017

COMMITTEE RESOLUTION

Moved: Mr Jeffrey Cook

Seconded: Independent Member Susan Hadley

That an amendment be made with Condition 7 listed in the Recommendation of the Agenda Report and it be added as a 'Note', as it may not be legally enforceable. Correct a typo error to the word 'for' in Condition 2.

- A. That Development Application 544/1103/2018 for the construction of a farm building (implement shed) at (Lot 834) 845 Corny Point Road, The Pines is not seriously at variance with the provision of the Yorke Peninsula Council Development Plan consolidated 31 October 2017.**

- B. That following consideration and having regard to all relevant matters concerning the construction of a farm building (implement shed) at (Lot 834) 845 Corny Point Road, The Pines (Development Application 544/1103/2018), the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent and concurrence being sought from the State Commission Assessment Panel.**

Conditions

- 1. The applicant shall proceed strictly in accordance with the plans submitted and conditions imposed by this consent, except where minor changes are required to comply with the Building Code of Australia.**

- 2. The farm building shall not be used or converted for use for human habitation. Human habitation includes the occupation of the building whether on a part time overnight basis or on a permanent basis.**

- 3. Where a Private Certifier is engaged for Building Rules Consent, the Private Certifier is to provide Council with a certified statement to verify that the Building Rules Consent is consistent with the Development Plan Consent.**
- 4. The plants comprising the landscaping shall be maintained in a healthy condition with dead and diseased plants being promptly replaced.**
- 5. Stormwater run-off, including surface stormwater generated by the development, shall be managed on site so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of Council.**
- 6. There shall be no new or additional access paths made from the development site to the coast.**
- 7. Any landscaping associated with this development should use local native coastal species, avoiding the spread of exotic plants in the coastal zone.**
- 8. To limit the spread of pests and weeds into the coastal environment, any imported fill should be free from weeds and pest species and all machinery brought into the site should adhere to appropriate machine hygiene and be adequately cleaned before entering the site.**
- 9. Stormwater discharge to the coastal environment is to be minimised.**

Note

The area is located in a potential sand drift hazard area. Although the site is already cleared of native vegetation, there is to be no additional clearance of native vegetation surrounding the development. Maintaining vegetation cover will assist with minimising the impact of sand drift hazard.

CARRIED 007/2019 (17/04/2019)

9.2 ROBERT HOLLITT 544/1424/2018**PROPOSAL OUTLINE**

Author:	Georgina Halman
Application No.:	544/1424/2018
Applicant:	Robert Ian Hollitt
Owner:	Robert Ian Hollitt
Development Proposal:	Variation to 544/1034/2018: Approval for limited functions and increase in patron numbers associated with an existing winery and cellar door sales outlet
Lodgement Date:	4 December 2018
Subject Land:	(Lot 23) 35A Bowman Road, Ardrossan
Zone:	Light Industry
Nature of Development:	Merit
Public Notification:	Category 3
Representations:	2
Referrals:	Nil
Development Plan Version:	29 November 2018

COMMITTEE RESOLUTION

Moved: Independent Member Susan Hadley

Seconded: Independent Member Debra Agnew

- A. That Development Application 544/1424/2018 for variation to 544/1034/2018: approval for limited functions and increase in patron numbers associated with an existing winery and cellar door sales outlet at (Lot 23) 35A Bowman Road, Ardrossan is not seriously at variance with the provision of the Yorke Peninsula Council Development Plan consolidated 29 November 2018.**

- B. That following consideration and having regard to all relevant matters concerning variation to 544/1034/2018: approval for limited functions and increase in patron numbers associated with an existing winery and cellar door sales outlet at (Lot 23) 35A Bowman Road, Ardrossan (Development Application 544/1424/2018), the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent.**

Conditions

- 1. The applicant shall proceed strictly in accordance with the plans submitted and conditions imposed by this consent, except where minor changes are required to comply with the Building Code of Australia.**

- 2. Where a Private Certifier is engaged for Building Rules Consent, the Private Certifier is to provide Council with a certified statement to verify that the Building Rules Consent is consistent with the Development Plan Consent.**

3. The hours of operation of the premises shall not exceed the times 10am to 7pm, Monday to Sunday.
4. No vehicle access/egress shall be gained from Hogarth Street, either via adjoining (Lot 21) 17 Hogarth Street, Ardrossan or otherwise.
5. Adequate toilet facilities shall be provided for patron use at all times whilst the venue is open to the public.
6. Cellar door/retail and function operations shall be limited to the public such that the total number of patrons/guests on the premises does not exceed one hundred and twenty five (125) persons at any one time.
7. Music associated with cellar door/retail and function operations shall be limited to acoustic music only. No amplified music or use of public address (PA) systems is permitted.
8. No process shall be carried out or activity conducted from this site which could give rise to reasonable objection from occupiers in the locality over noise, vibration, smell, fumes, smoke, silt, ash, dust, grit or electrical interference.
9. Driveways, vehicle manoeuvring and parking areas shall be constructed of dolomite (or similar material) as a minimum, prior to occupation or use of the development herein approved. Such surfaces shall be maintained in a good and substantial condition at all times to the reasonable satisfaction of Council.
10. All loading and unloading of vehicles and manoeuvring of vehicles shall be done entirely upon the subject land.
11. All vehicles shall enter and exit the land in a forward direction.

CARRIED 008/2019 (17/04/2019)

10 MATTERS DEFERRED

Nil

11 ERD COURT MATTERS

544/1152/2018 – Stuart Palecek (on behalf of Bohm)

12 CONCURRENCE APPROVALS

544/1070/2018 – Spartan Plans and Building Services (for DA & SL Edwards)

13 PROCEDURAL MATTERS

Dustin provided information to Independent Members on the process and requirements for accreditation. Accreditation is required by November 2019. Independent Member Elinor Walker advised PIA will be holding a free webinar on 29 April 2019 which will provide further information on accreditation requirements. Elinor offered to forward webinar link.

Roger provided an update on the Panel and advised Presiding Chair Rodney Button will be retiring from the Panel at the end of the current term. Roger also provided an update on staff movements for Development Services and informed the Panel that Susan Hadley will be commencing with Council as a Planning Officer at the end of April and will therefore be tendering her resignation from the Panel.

14 NEXT MEETING

28 May 2019

15 CLOSURE

The Meeting closed at 10.01am

The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on .

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CHAIRPERSON